



## ENERGY AND ENVIRONMENT CABINET

DEPARTMENT FOR ENVIRONMENTAL PROTECTION  
DIVISION OF WASTE MANAGEMENT  
200 FAIR OAKS, 2<sup>ND</sup> FLOOR  
FRANKFORT, KY 40601  
TELEPHONE NUMBER (502) 564-6716

Performance Bond  
Form DEP 7094E (11/08)

### GENERAL INFORMATION

- 1. ASSISTANCE** – Questions regarding this form may be directed in writing to the Division of Waste Management, Solid Waste Branch at the address listed above, or by calling (502) 564-6716.
- 2. SUBMISSION** – Please type or print legibly in permanent ink. Submit the original of the completed form to the Division of Waste Management at the address listed above. The document must be free of errors.

**Application Number:**

**Solid Waste Permit Number:**

**Type of Bond:** (Check appropriate line)

\_\_\_\_\_ Cash Bond

\_\_\_\_\_ Surety Bond (# \_\_\_\_\_)

\_\_\_\_\_ Escrow Agreement - Certificate of Deposit (# \_\_\_\_\_)

\_\_\_\_\_ Letter of Credit (# \_\_\_\_\_)

\_\_\_\_\_ Other. Describe:

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**KNOW ALL PERSONS BY THESE PRESENTS**, that the undersigned, \_\_\_\_\_, as Principal, and \_\_\_\_\_, as Surety, is/are held and firmly bound unto the Natural Resources and Environmental Protection Cabinet in the penal sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), (1) which sum is herewith deposited with the Energy and Environment Cabinet;

(2) \_\_\_\_\_ for payment of which sum is to be well and truly made:

(3) \_\_\_\_\_ which sum is herewith deposited with the Natural Resources and Protection Cabinet, by and through its Escrow Agent, (4) \_\_\_\_\_ as a grantee that the provisions of the permit issued pursuant to Application Number \_\_\_\_\_, all applicable laws, rules, and regulations will be observed and hereby bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents. The bond is effective upon receipt by the Division of Waste Management (hereinafter Division).

**THE CONDITION OF THE ABOVE OBLIGATION IS SUCH**, that, whereas, the above bound Principal, pursuant to the provisions of 401 KAR Chapter 45 did file with the Division, an application for a permit to construct and/or operate a special waste site or facility in the Commonwealth of Kentucky; that in said application the Principal identified the area to be permitted as \_\_\_\_\_ acres, located in \_\_\_\_\_ County, at or near the community of \_\_\_\_\_ : and whereas the above described area will be affected by the facility during the life of the permit and until the Principal has completed proper closure and post-closure care: and corrective action, if required, and Cabinet, has certified the same. Furthermore, it is understood that the obligation under this bonds extends to environmental degradation occurring off the permitted area but proximately resulting from the construction, operation or closure of the special waste site or facility, Now, if said \_\_\_\_\_ , as Principal, shall faithfully perform all requirements of the above designated application, the permit issued pursuant thereto and the applicable laws, rules, and regulations, and the terms of this bond, then this obligation shall be released; otherwise; it is agreed that said penal sum shall be paid to the Commonwealth of Kentucky, Energy and Environment Cabinet, upon receipt of an Order of the Cabinet.

**Principal:** \_\_\_\_\_

**Type or Print Name:**

**Official Position:**

**Date:**        -        -       

Subscribed and sworn to before me by \_\_\_\_\_

this the \_\_\_\_\_ day of \_\_\_\_\_ , 20 \_\_\_\_\_ .

\_\_\_\_\_  
Notary Public, State-at-Large

My commission expires the \_\_\_\_\_ day of \_\_\_\_\_ , 20 \_\_\_\_\_ .



COMPLETE FOR SURETY BOND:

Surety:

Address:

Local Agency Issuing Bond:

Address:

By:

Official Position:

Signature: \_\_\_\_\_

DATE:        -        -

NOTE: The person who signs for a surety company shall file with the bond a copy of the Power of Attorney showing authority to sign. All bonds executed by an out-of-state bonding agent shall be countersigned by a resident Kentucky agent.

COUNTERSIGNED

By:

AGENT FOR:

ADDRESS: